

**IN THE  
UNITED STATES DISTRICT COURT  
FOR  
THE EASTERN DISTRICT OF VIRGINIA  
( RICHMOND DIVISION )**

**THE COMMONWEALTH OF VIRGINIA Ex Rel )**  
Kenneth T. Cuccinellie II, in his official )  
Capacity as Attorney General of Virginia )  
900 East Main Street )  
Richmond, Virginia 23219 )

Plaintiff. )

v. )

Civil Action No. 3: 10 CV 188-HEH

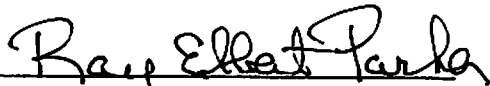
**THE HONORABLE KATHLEEN SEBELIUS, )**  
**SECRETARY, HEALTH & HUMAN SERVICES )**  
200 Independence Avenue, SW )  
Washington, D. C. 20201 )

**MOTION TO FILE AMICUS CURIAE BRIEF**

The party named below respectfully moves the Honorable Henry E. Hudson, United States District Judge for the above captioned cause of action to grant the above captioned motion pursuant to the Federal Rules of Civil Procedure and the Local Rules of this Court to be included as a *permanent* part of the official record in this cause of action.

The amicus curiae participant is an 82 year old retired octogenarian, a Korean War veteran, a United States citizen and a lifetime resident and taxpayer domiciled in the Commonwealth of Virginia, who is *directly* affected by both the Healthcare Legislation and the litigation now before this court.

The accompanying amicus curiae brief is incorporated herein pursuant to the Federal Rules of Civil Procedure, as amended, as <sup>1</sup>of fully stated again. Oral argument not requested, but not waived should the court decide otherwise.

/s/ 

RAY ELBERT PARKER pro se

Post Office Box 320636  
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(703) 328 - 2366

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SECRETARY OF HEALTH & HUMAN SERVICES )  
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Defendant. )

**CERTIFICATE OF SERVICE**

I, RAY ELBERT PARKER, hereby certify *under oath* that a true copy of the motion, certificate of service and the *amicus curiae* brief has this **3rd day of June, 2010**, been served upon the parties named below by *certified mail* with return receipt requested, postage prepaid, to The Honorable Kenneth T. Cuccinelli, Attorney General for the Commonwealth of Virginia, 900 East Main Street, Richmond, Virginia 23219; and to his team of lawyers as follows:

**Earle Duncan Getchell, Jr., Esq., LEAD ATTORNEY TO BE NOTICED; Charles E. James, Jr., Esq.; Stephen R. McCullough, Esq.; and Wesley Glenn Russell, Jr. Esq., ASSISTANT ATTORNEY GENERALS TO BE NOTICED; and The Honorable Robert F. McDonnell, Governor of the Commonwealth of Virginia \***, Office of the Governor, Patrick Henry Building, 3<sup>rd</sup> Floor, 1111 East Broad Street, Richmond, Virginia 23219; **The Honorable Jim H. Webb**, (D. Senator Virginia)\*, 248 Russell Senate Office Building, Washington, D. C. 20610; **The Honorable Mark R. Warner**, (D. Senator Virginia) \*, 459- A Russell Senate Office Building, Washington, D. C. 20510; and **The Honorable Eric Holder**, Attorney General for the United States of America, United States Department of Justice, 950 Pennsylvania Avenue, NW, Suite 4100, Washington, D. C. 20530; and **John H. Hanbrick, Esq.**, United States Attorney, 600 East Main Street, Suite 1800, Richmond, Virginia 23219; and **Ms. Erika Myers, Esq.**, Assistant United States Attorney, Department of Justice Federal Programs, 20 Massachusetts Avenue, NW, Room 7332, Washington, D. C. 20001, LEAD ATTORNEY FOR DEFENDANT TO BE NOTICED.

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Asterisk \* indicates courtesy copies mailed.

/s/   
RAY ELBERT PARKER

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